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DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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MAY 31 2002

Paper No. 11

In re Application of :
Richard E. Williams : DECISION ON PETITION
Application No. 09/576,499 :
Filed: May 23, 2000 :
Attorney Docket No. 2429/4 :

This is a decision on the petition filed on March 11, 2002 by which petitioner requests withdrawal of the examiner's holding that this application stands abandoned for failure to file a reply to the Office letter dated May 21, 2001. No fee is required for the petition.

The petition is dismissed as moot.

Subsequent to the mailing of the Notice of Abandonment on December 21, 2001, timely filed papers constituting a proper reply to the Office letter in question were in fact associated with the application file. Accordingly, the holding of abandonment was vacated and an action on the application in light of the reply was mailed to petitioner on May 7, 2002. The period for filing a reply to the action dated May 7, 2002 continues to run as set therein.

In light of the fact that this application is currently in a pending status, the petition to withdraw the holding of abandonment is moot.

PETITION DISMISSED.

E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

Attachment

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ATTACHMENT

The petition and attached papers filed on March 11, 2002 (certificate of mailing dated February 27, 2002) have not been made part of the permanent records of the United States Patent and Trademark Office (Office) for this application (37 CFR 1.52(a)) because of damage from the United States Postal Service irradiation process. The above-identified papers, however, were not so damaged as to preclude the USPTO from making a legible copy of such papers. Therefore, the Office has made a copy of these papers, substituted them for the originals in the file, and stamped that copy:

COPY OF PAPERS ORIGINALLY FILED

If applicant wants to review the accuracy of the Office's copy of such papers, applicant may either inspect the application (37 CFR 1.14(d)) or may request a copy of the Office's records of such papers (*i.e.*, a copy of the copy made by the Office) from the Office of Public Records for the fee specified in 37 CFR 1.19(b)(4). Please do **not** call the Technology Center's Customer Service Center to inquiry about the completeness or accuracy of Office's copy of the above-identified papers, as the Technology Center's Customer Service Center will **not** be able to provide this service.

If applicant does not consider the Office's copy of such papers to be accurate, applicant must provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the originally submitted documents. If applicant provides such a copy of the above-identified papers and statement within **THREE MONTHS** of the mail date of this Office action, the Office will add the original mailroom date and use the copy provided by applicant as the permanent Office record of the above-identified papers in place of the copy made by the Office. Otherwise, the Office's copy will be used as the permanent Office record of the above-identified papers (*i.e.*, the Office will use the copy of the above-identified papers made by the Office for examination and all other purposes). This three-month period is not extendable.